

**Record of Proceedings  
Village of Peninsula Council  
REGULAR SESSION**

Held: Monday, August 12, 2019

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**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 9:13 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and initiated the roll call, followed by the Pledge of Allegiance. The following members were present.

**COUNCIL MEMBERS:**

Michael Matusz	PRESENT	Mayor Douglas Mayer	PRESENT
Richard Fisher, Jr.	PRESENT	Chris Weigand	PRESENT
Michael J. Kaplan	PRESENT	Daniel Schneider	PRESENT
Diane Holody	PRESENT		

**OTHERS PRESENT:** Fiscal Officer Deborah Wordell, Solicitor Brad Bryan, and Police Chief Joseph Varga.

**Village of Peninsula Proclamation Honoring Mary E. Booth:** Ms. Holody read aloud a Proclamation honoring the late dedicated Peninsula activist and Councilwoman Mary Elizabeth Booth who passed away on June 2, 2019. Many in attendance were members of Ms. Booth's family and friends. The Mayor and Council commended her exemplary life of service and extended their deepest sympathies and condolences.

**CITIZENS PARTICIPATION:** Margo Snider of 6157 N. Locust St. questioned why the Peninsula equipment is back at the Locust Street location and asked about the Service Department partnership with the Township. Ms. Snider also referenced the negative articles published in the local papers about Peninsula and how it can impact the community. Doug Anderson of 6017 S. Locust Street asked why the Beacon Journal was contacted prior to the Special Meeting requested by the Mayor and inquired who, according to the ordinances, is responsible for cleaning catch basins.

**COUNCIL PARTICIPATION:** Mr. Weigand expressed his displeasure over the July 23<sup>rd</sup> Council Meeting that lacked a quorum and turned into a Mayor's Information Meeting. He would have liked to have been told by the Mayor that the Village was in financial peril instead of reading it in the Akron Beacon Journal. He stated after the August 5, 2019 Special Council Meeting where an extensive question and answer session took place with Ms. Wordell, he does not see the dire situation that was eluded to in the newspaper. Mr. Weigand states Council needs to be mindful of expenses now and in the future, but the Village is not going under.

Mr. Kaplan stated the latest headlines about the Village's dire financials is nonexistent. He commented that back in 2014, the then Fiscal Officer under the supervision of the Mayor had overstated the amount of money the Village had by approximately \$70,000. The error was recently found and corrected. The Village never had that money, did not spend that money, did not plan to spend that money, and the so-called loss of that money will have no impact on what we can or cannot afford. There is no need to cancel plans, contracts, fire employees, or sell equipment. The error was a serious error, and it took much too long to find it. The Village is not anywhere close to having that amount of money stop it from providing the services to which the citizens are entitled.

**MAYOR'S REPORT:** No report.

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**SOLICITOR'S REPORT:**

**Army Corps Directive Update:** The Village received an additional thirty-day extension until August 31, 2019. The Council Committee and McCabe Engineering are working together on possible engineering and funding solutions.

The property at 5978 Canal Street is scheduled for demolition the week of September 9, 2019 and will be completed that week.

**LEGISLATION:**

**Third Reading:**

**Resolution No. 11-2019**

Requested by Councilperson Kaplan

**A Resolution Authorizing the Adoption of Rules of Council**

The Resolution was read by title by the Solicitor. Council decided to wait to take action on this Resolution until the next Council meeting on September 9, 2019. Mr. Kaplan requested that he and Mr. Bryan be advised of any changes requested by any other members of Council. Mr. Bryan was asked to send a word copy of the Rules to Council so that Councilmembers could identify any changes they were requesting.

**Second Reading:**

**Ordinance No. 18-2019**

Requested by Councilperson Weigand

**An Ordinance Establishing Chapters 741 and 185 of the Codified Ordinances Relating to Short-Term Rental Regulations and an Excise Tax on Short-Term Rentals**

The Ordinance was read by title by the Solicitor. Mr. Weigand stated there are two Planning related ordinances in front of Council and asked if Council would like Ms. McMahon, the Planning Consultant, to come in at 6:00 p.m., one hour before the next Regular Council Meeting on September 9, to address Council and answer questions.

Mr. Bryan stated that a public hearing is needed for the Conservation/Recreation District and Overlay Zoning Code amendment. A Thirty-day notice to the media and twenty-day notice to the property owners is required prior to that hearing.

A motion was made by Mr. Schneider to have Ms. McMahon attend one hour prior to the September 9, 2019 Council Meeting to discuss the Long-Range Plan Update and Short-Term Rental Ordinance. The motion was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

The Ordinance will be placed on the agenda on third reading at the next Regular Council Meeting.

**First Reading:**

**Ordinance No. 20-2019**

Requested by Mayor Mayer

**An Ordinance Approving Current Replacement Pages to the Peninsula Codified Ordinances**

The Ordinance was read by title by the Solicitor. Ms. Holody made a motion to suspend the three reading rule for Ordinance No. 20-2019 that was seconded by Mr. Schneider.

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Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A motion to pass Ordinance No. 20-2019 was made by Ms. Holody and seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Ordinance was adopted.

**Ordinance No. 21-2019**

Requested by Councilperson Weigand

**An Ordinance Establishing Chapter 1119 of the Zoning Code Relating to the Conservation/Recreation District and Overlay**

The Ordinance was read by title by the Solicitor. Mr. Kaplan made a motion to have a public hearing on Resolution No. 21-2019 on October 14, 2019 at 6:30 that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

The Ordinance will be placed on the agenda on second reading at the next Regular Council Meeting.

**Resolution No. 22-2019**

Requested by Councilperson Weigand

**A Resolution Supporting and Approving the Village Planning Commission's 2019 Long Range Plan Update**

The Resolution was read by title by the Solicitor. It was determined that this Resolution would be placed on the agenda for a second reading at the next Regular Council Meeting.

**FISCAL OFFICER'S REPORT:**

**Consideration of Minutes:**

July 8, 2019 Regular Council Meeting Minutes:

Mr. Weigand made a motion to amend the minutes for the July 8, 2019 Regular Council Meeting that was seconded by Ms. Holody.

Roll Call Vote: Mr. Matusz, abstain; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A motion was made by Mr. Weigand to approve the amended July 8, 2019 Regular Council Meeting minutes that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, abstain; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The amended minutes were approved.

July 26, 2019 Special Council Meeting Minutes:

Ms. Holody made a motion to approve the July 26, 2019 Special Council Meeting minutes that was seconded by Mr. Weigand.

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Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, abstain; Mr. Kaplan, abstain; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The minutes were approved.

**FINANCE LIAISON, MS. HOLODY:**

A motion for Acknowledgement of Receipt of the Financial Reports was made by Ms. Holody and seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A motion for Ratification of Payment of the Submitted Bills List was made by Ms. Holody and seconded by Mr. Kaplan. Ms. Holody asked who inspected the workmanship of the three newly installed Village Hall windows. Mr. Fisher, the Building and Grounds Liaison, stated he would look them over.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

**POLICE LIAISON, MR. SCHNEIDER:** Mr. Schneider spoke about the proposed renewal of the Village Police Contract with Boston Township. Mr. Bryan elaborated on the four different coverage options that he, Ms. Wordell, and Chief Varga collaborated on.

Mr. Kaplan made a motion to send the proposed contract renewal options prepared by Ms. Wordell on August 9, 2019 to Boston Township. The motion was seconded by Mr. Schneider. Ms. Holody asked Chief Varga if he was comfortable with all of the proposed contract renewal options. Chief Varga responded yes.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

**ROADS AND PUBLIC WORKS LIAISON, MR. MATUSZ:** Seven signs will be purchased for approximately \$300 and posted on and around the berm closure on Akron-Peninsula Road. Mr. McCabe will keep Council posted if conditions worsen and a road closure becomes necessary.

Mr. Kaplan made a motion to place appropriate signs to warn pedestrians and hikers of the unsafe condition in the area that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Ms. Holody updated Council on the August 6, 2019 Boston Township meeting she and Mr. Schneider attended. Items included the preliminary draft of the Village and Township Service Department contract, staffing, future grants for major capital improvements, a Service Department equipment inventory list, and quotes for other health insurance plans.

Ms. Holody also inquired who is responsible for sidewalk conditions, especially where there is street parking. She believes a few sidewalk areas within the Village need to be replaced or repaired. Mr. Bryan and Mr. Kaplan both clarified the content of the current sidewalk ordinance. Mr. Kaplan suggested the possibility of the Service Department surveying the

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sidewalks and grading them for improvement. Ms. Holody stated the County contractor ran equipment over and broke some of the sandstone sidewalks and still has not reimbursed the Village for \$4,500. Mr. Matusz asked Mr. Bryan to look into the matter. Additional clarifications and revisions to the sidewalk ordinances will be considered.

The Mayor and Council had a discussion over equipment storage, the construction of a new Service building, and insurance.

Boston Township Trustee Amy Anderson addressed Council from the Township perspective. Ms. Anderson stated the Township has no issues helping the Village and would like to see the Village bring back its equipment. Ms. Anderson's commented she would like to believe if the Township would need something, someone would be there to assist the Township. The Township is not asking the Village for rent and just wants to help the community.

Mr. Kaplan made a motion to move the Village's Service Department equipment back to the Township location that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, no; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

**PLANNING COMMISSION, MR WEIGAND:** Mr. Weigand reported the Planning Commission continues to work on the Zoning Code update recommendations from the Long Range Plan Update to send to Council. Mr. Weigand commented on potential collaboration with the Park, Railroad, and Foundation on traffic engineering studies for traffic flow and parking and obtaining grants for that work.

**WASTEWATER:** Nothing to report.

**ZONING:** Mayor Mayer reported the National Park will apply for a permit to close Mill Street on September 5, 2019 for a railroad event. The closure time is thought to be 8:00 a.m.-1:30 p.m. The exact times will be known when the permit is submitted. The Village currently charges \$100 per event for a road closure permit and requires contracting with the Village Police. Mr. Kaplan suggested the Fiscal Officer look into whether the permit cost should be raised.

**BOARD OF ZONING APPEALS:** Mayor Mayer reported there are still two seats available to be filled on the Board of Zoning Appeals.

**BUILDING AND GROUNDS, Richard Fisher, Jr.:** The Mayor presented a Chapel Hill Tri County award winning 1983 picture that was donated to the Village by John Goodwin of Kent. Mr. Goodwin asked that it be displayed somewhere in Village Hall.

Mr. Fisher reported he contacted Terry Graham about the broken sandstone but has not heard back. Mr. Fisher was made aware that the Village has additional sandstone in storage.

**CHAMBER OF COMMERCE AND ECONOMIC DEVELOPMENT, MR. WEIGAND:** Mr. Weigand reported the Chamber has installed three benches throughout the community in memory of Rhonda Russel. The Blue Heron sculpture has been installed in front the Trail Mix. The Chamber is still raising money for this public art project. September 21<sup>st</sup> will be the annual Music on the Porches event with music and activities throughout town. For more information visit [www.explorepenninsula.com](http://www.explorepenninsula.com).

Mr. Weigand asked the Village to collaborate with the Chamber to foster thoughtful sustainable economic development in the community. Mr. Weigand stated he spoke with Karen

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Walters from the Foundation to get updates on the Foundation's latest projects, including the improvements to the G.A.R. Hall and the Foundation's private wastewater treatment plant on Mill Street. Ms. Walters stated those projects are moving forward.

Margo Snider commented the Chamber is starting a Welcome Wagon for new residents and businesses in town in September, 2019.

**POLICIES AND PROCEDURES, MR. KAPLAN:** Mr. Kaplan informed Council of the upcoming Cleveland planning and zoning seminar/workshop on Friday, October 4, 2019. There is an early registration discount until August 15, 2019. Mr. Kaplan made a motion for the Village pay for any appointed or elected Village official who wants to register for the October 4, 2019 seminar within the early enrollment period. The motion was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

**FIRE BOARD, MR. SCHNEIDER:** Mr. Schneider reported that Assistant Chief Dave Morehouse will be retiring at the end of the month. The Valley Fire Station will be having a Steak Dinner on October 5, 2019. Tickets are \$30.00 each

**CEMETERY BOARD, MR SCHNEIDER:** Nothing to report.

**JEDD, MR. SCHNEIDER:** Mr. Schneider reported there have been no meetings recently. Ms. Wordell reported the revenue from the JEDD is up by twenty percent since last year.

**UNFINISHED BUSINESS:**

Peninsula Architects Proposal: The Mayor asked about the proposal from Peninsula Architects to prepare a necessary footprint site plan layout for possible land swap discussions with the National Park for a future Service Department headquarters. Council commented that the quoted price is expensive and asked whether a sketch would be sufficient for the Park. Ms. Holody commented that Peninsula Architects stated a more elaborate drawing is needed due to the soil and terrain conditions at the proposed locations. Council determined that additional quotes for the drawings should be sought.

Village Hall Structural Issues. Mayor Mayer reported there has been no new activity on this issue. He commented he needs to inform Mr. Fisher about the current structural situation of the Village Hall building.

**NEW BUSINESS:** None.

**ADJOURNMENT:** A motion to adjourn was made by Ms. Holody and seconded by Mr. Schneider. All were in favor of the motion; none were opposed. The meeting was adjourned at 9:13 p.m.

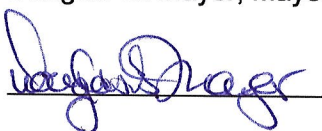
Respectfully submitted:

Douglas G. Mayer, Mayor

Date

Deborah Wordell, Fiscal Officer

Date



9-16-19



09/11/2019